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Attorneys for Non-Parties
SANDSTONE GROUP, LLC,
TYTO LIDAR, LLC, and
OGNEN STOJANOVSKI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING LLC

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF ADRIAN J. SAWYER
IN SUPPORT OF DEFENDANTS UBER
TECHNOLOGIES, INC.'S AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL EXHIBITS TO AND
PORTIONS OF THEIR SUPPLEMENTAL
BRIEF ON THEIR MOTION TO
EXCLUDE ONE OF THREE OPINIONS
PROFFERED BY WAYMO EXPERT JIM
TIMMINS (DKT. 1887)**

1 I, Adrian J. Sawyer, hereby declare as follows:

2 1. I am an attorney licensed to practice before all courts of the State of California. I
3 am a partner in the law firm of Kerr & Wagstaffe LLP, attorneys for non-parties Sandstone
4 Group, LLC, Tyto LiDAR, LLC, and Ognen Stojanovski. I have personal knowledge of the
5 matters stated herein and if called upon would testify competently thereto.

6 2. I make this declaration in support of Defendants Uber Technologies, Inc.'s and
7 Ottomotto LLC's Administrative Motion to File Under Seal Exhibits to and Portions of Their
8 Supplemental Brief on Their Motion to Exclude One of Three Opinions Proffered by Waymo
9 Expert Jim Timmins (Dkt. 1887). I have reviewed the Administrative Motion to File Under Seal
10 (the "Administrative Motion"), together with Defendants' Supplemental Brief on Their Motion
11 to Exclude One of Three Opinions Proffered by Waymo Expert Jim Timmins ("Supplemental
12 Brief") (Dkt. 1887-4), and the exhibits to the Supplemental Brief sought to be filed under seal.

13 3. Tyto LiDAR and Sandstone Group are non-parties and are existing limited
14 liability companies. All of the information designated by Tyto LiDAR or Sandstone Group and
15 included in the Supplemental Brief was designated confidential. None of the information was
16 designated highly confidential/AEO by Tyto LiDAR or Sandstone Group.

17 4. The yellow highlighted portions of the Supplemental Brief contain confidential
18 information regarding the ownership and structure of non-party Sandstone Group, financing of
19 Sandstone Group, the ownership of Tyto LiDAR, and the financing of Tyto LiDAR.

20 5. The yellow highlighted portions of the Declaration of Melissa Felder Zappala in
21 Support of the Supplemental Brief reflect confidential information regarding the ownership,
22 structure, and financing of non-party Sandstone Group, and, by extension, the ownership,
23 structure, and financing of non-party Tyto LiDAR.

24 6. Exhibit 1 to the Supplemental Brief contains confidential information regarding
25 the ownership and structure of non-party Sandstone Group, financing of Sandstone Group, the
26 ownership of Tyto LiDAR, and the financing of Tyto LiDAR.

27 7. Exhibit 2 to the Supplemental Brief consists of portions of the deposition of Jim
28 Timmins, taken in this action. Exhibit 2 contains confidential information regarding the

1 ownership and structure of non-party Sandstone Group, financing of Sandstone Group, the
 2 ownership of Tyto LiDAR, and the financing of Tyto LiDAR.

3 8. Exhibit 3 to the Supplemental Brief appears to consist of three separate
 4 documents combined. The first document, labeled Peak Trust / Bismuth Trust / Blattmachr
 5 000001-000023, is a Declaration of Trust. The second document, Peak Trust / Bismuth Trust /
 6 Blattmachr 000024, is a wire transfer receipt. The third document, Peak Trust / Bismuth Trust /
 7 Blattmachr 000025-000026, is an investment summary. All three documents reflect confidential
 8 information regarding the ownership, structure, and financing of non-party Sandstone Group,
 9 and, by extension, the ownership, structure, and financing of non-party Tyto LiDAR.

10 9. Exhibit 4 to the Supplemental Brief consists of two separate documents
 11 combined. The first document, labeled SANDSTONE 000001-000002, Sandstone Group's
 12 Articles of Organization, has been publicly filed with the Secretary of State. Sandstone does not
 13 contend that it is confidential, and will remove the confidentiality designation in the footer. The
 14 second document, SANDSTONE 000003-000007, is the Operating Agreement of Sandstone
 15 Group, LLC. It has not been filed with the Secretary of State and remains confidential. The
 16 Operating Agreement contains confidential information regarding Sandstone Group's ownership,
 17 operations, and finances. Sandstone Group is a non-party and existing private company and as
 18 such is entitled to confidentiality in its ownership, operations, and finances.

19 10. Exhibit 5 to the Supplemental Brief consists of portions of the deposition of
 20 Ognen Stojanovski, taken in this action. Exhibit 5 contains confidential information regarding
 21 the ownership and structure of non-party Sandstone Group, financing of Sandstone Group, the
 22 ownership of Tyto LiDAR, and the financing of Tyto LiDAR.

23 11. Exhibit 6 to the Supplemental Brief is the Operating Agreement of Tyto LiDAR.
 24 It has not been filed with the Secretary of State and remains confidential. The Operating
 25 Agreement contains confidential information regarding Tyto LiDAR's ownership, operations,
 26 and finances. Tyto LiDAR is a non-party and existing private company and as such is entitled to
 27 confidentiality in its ownership, operations, and finances.

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1 12. Because Sandstone Group and Tyto LiDAR are non-parties and existing private
2 companies, they request that their confidentiality interests in this ownership and financing
3 information be respected in this proceeding.

4 13. Defendants' request to seal is narrowly tailored to those exhibits to Defendants'
5 Supplemental Brief that merit sealing.

6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct. Executed this 2nd day of October, 2017 at San Francisco,
8 California.

9 /s/ Adrian J. Sawyer

10 ADRIAN J. SAWYER

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